

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RICHARD HAZZOURI and KIMBERLY : No. 3:18cv1982
HAZZOURI,

Plaintiffs :
: (Judge Munley)

v.

WEST Pittston BOROUGH, THE
LUZERNE COUNTY OFFICE OF
DEVELOPMENT; JUDY AITA; JAMES
BUTERA and ELLEN QUINN,
individually and in their capacity as
members of the West Pittston
Borough Council and THOMAS
BLASKIEWICZ, individually and in
his capacity as Mayor of West
Pittston Borough.

Defendants :

ORDER

AND NOW, to wit, this 10th day of September 2019, it is hereby

ORDERED as follows:

- 1) Defendant West Pittston Borough's motion to dismiss (Doc. 21) is denied in part and granted in part. The motion is **DENIED** as to Counts I, II, III, and IV. The motion is **GRANTED** as to Count V;
- 2) Defendant The Luzerne County Office of Community Development's motion to dismiss (Doc. 37) is denied in part and granted in part. The motion is **DENIED** as to Counts I and II. The motion is **GRANTED** as to Count V;

- 3) Defendant E len Quinn's motion to dismiss (Doc. 36) is denied in part and granted in part. The motion is **DENIED** as to Counts I, II, III, and IV. The motion is **GRANTED** as to Count V;
- 4) Defendant Judy Aita's motion to dismiss (Doc. 38) is denied in part and granted in part. The motion is **DENIED** as to Counts I, II, III, and IV. The motion is **GRANTED** as to Count V.
- 5) Defendant James Butera's motion to dismiss (Doc. 39) is denied in part and granted in part. The motion is **DENIED** as to Counts I, II, III, and IV. The motion is **GRANTED** as to Count V; and
- 6) Defendant Thomas Blaskiewicz's motion to dismiss (Doc. 40) is denied in part and granted in part. The motion is **DENIED** as to Counts I, II, III, and IV. The motion is **GRANTED** as to Count V.

BY THE COURT:

s/ James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court